

**City of Hurst
City Council Minutes
Tuesday, March 28, 2017**

On the 28th day of March 2017, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, with the following members present:

Richard Ward	)	Mayor
Larry Kitchens	)	Mayor Pro Tem
Bill McLendon	)	Councilmembers
Nancy Welton		
Henry Wilson)	
David Booe)	
Trasa Cobern)	
Clay Caruthers	)	City Manager
John Boyle	)	City Attorney
Allan Heindel	)	Deputy City Manager
Rita Frick	)	City Secretary
Greg Dickens	)	Executive Director of Public Works
Clayton Fulton	)	Executive Director of Fiscal and Strategic Services
Steve Bowden	)	Executive Director of Economic Development
Stephen Moore	)	Police Chief
Malaika Marion Farmer	)	Executive Director of Administration and Customer Service
John Brown	)	Fire Chief
Steven Niekamp	)	Assistant Police Chief
David Palla	)	Assistant Fire Chief

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember Kitchens gave the Invocation.

The Pledge of Allegiance was given.

PROCLAMATION (S)

1. Proclamation recognizing Public Safety Employees. Councilmember David Booe presented the Proclamation, recognizing public safety employees to Assistant Police Chief Steve Niekamp and Fire Chief John Brown who recognized the following annual award recipients for each department: Police Civilian of the Year Christy Provence, Police Rookie of the Year Jonathan Cramer, Police Supervisor of the Year Dustin Smith, Police Officer of the Year Adam Hooten. Fire Officer of the Year Steven Ramsey.

PUBLIC HEARING(S) AND RELATED ITEMS

11. Conducted a public hearing to consider SP-17-02, Witten's Grill and Sports Café, a site plan revision on a portion of Lot 1, Block 1, Pipeline Plaza Addition, being 4.33 acres located at 1121 W. Pipeline Road.

Mayor Ward announced a public hearing to consider SP-17-02, Witten's Grill and Sports Café, a site plan revision on a portion of Lot 1, Block 1, Pipeline Plaza Addition, being 4.33 acres located at 1121 W. Pipeline Road, and recognized Managing Director of Development Michelle Lazo who reviewed the proposed site plan to add 1,900 square feet of outdoor patio to Witten's Grill and Sports Café. She stated the site is not sprinkled, but has several mature trees around the site. Ms. Lazo stated the applicant is requesting to add potted flowers around the patio in planters, in lieu of irrigation and landscaping. Ms. Lazo stated the patio will be enclosed, as required by the Texas Alcoholic Beverage Commission. She stated the enclosure will be wrought iron fencing and stone veneer columns, also noted was no request for a signage change. Mayor Ward recognized Mr. Witten who explained he wants to expand the area to service customers, but an interior expansion would require the installation of an expensive fire sprinkler system.

There being no one else to speak, Mayor Ward closed the public hearing.

Councilmember Wilson noted the improved quality of the food since the applicant made improvements and removed the pool tables. He stated he understood the intent to try to meet the landscaping requirements with the potted flowers, and thinks it is a good idea, since it is the owner of the building's responsibility to irrigate the site. In response to Councilmembers' questions, Mr. Witten stated he believes the patio expansion will allow for an additional 45 to 60 people, and there is plenty of parking to accommodate the expansion.

12. Considered Ordinance 2354, first reading, SP-17-02, Witten's Grill and Sports Café, a site plan revision on a portion of Lot 1, Block 1, Pipeline Plaza Addition, being 4.33 acres located at 1121 W. Pipeline Road.

Councilmember Wilson moved to approve SP-17-02 Witten's Grill and Sports Café, a site plan revision on a portion of Lot 1, Block 1, Pipeline Plaza Addition, being 4.33 acres, located at 1121 W. Pipeline Road, including Ordinance 2354. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

13. Conducted a public hearing to consider SP-17-01, Candlewood Suites, a site plan for Lot 3R, Block 1, Southwest Surgical Hospital Addition, being 2.36 acres located at 803 W. Harwood Road.

Mayor Ward announced a public hearing to consider SP-17-01, Candlewood Suites, a site plan for Lot 3R, Block 1, Southwest Surgical Hospital Addition, being 2.36 acres located at 803 W. Harwood Road and recognized Sunny Patel, Hurst Lodging, LLC, who reviewed the company's portfolio, awards and associations. Mr. Patel reviewed the proposed site plan, elevations, room layout and amenities for the proposed Candlewood Suites extended stay hotel. Mr. Patel stated the average stay is 14 days and the rooms have fully equipped kitchens. Also, provided are fitness facilities, guest laundry, swimming pool and a cupboard convenience store.

There being no one else to speak, Mayor Ward closed the public hearing.

In response to Councilmembers' questions, Mr. Patel stated his cousin owns the Lone Star Inn in Hurst. Police Chief Steve Moore stated there have been complaints over the years at the Lone Star Inn, but the management partnership helps. City Attorney John Boyle advised the Council can require the Lone Star Inn to follow City codes, but they cannot apply to tonight's zoning case. Mr. Patel stated the room renderings will look almost identical to what is being shown, but better. He stated all of the items are prepackaged by IHG and they are trying to remain close to the prototype. Councilmember Welton stated she has stayed in a Candlewood Suites Hotel and it was very nice.

14. Considered Ordinance 2355, first reading, SP-17-01, Candlewood Suites, a site plan for Lot 3R, Block 1, Southwest Surgical Hospital Addition, being 2.36 acres located at 803 W. Harwood Road.

Councilmember Welton moved to approve SP-17-01, Candlewood Suites, a site plan for Lot 3R, Block 1, Southwest Surgical Hospital Addition, being 2.36 acres located at 803 W. Harwood Road, and Ordinance 2355. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Cobern, Wilson and Welton

No: Councilmember McLendon

PLAT(S)

15. Considered P-16-08, Sheri Park Addition, a replat of Lot 5 and 6 to Lot 5R, Block 3, Sheri Park Addition, being .353 acre located at 137 and 141 Sheri Lane.

Mayor Ward recognized Managing Director of Development Michelle Lazo who reviewed the proposed replat to build a new single family home. In response to Councilmembers' questions, Ms. Lazo stated a portion of Lot 6 was purchased for the realignment of Harrison Lane and the lot has 25' building lines on both sides and will front Sheri Lane.

Councilmember Wilson moved to approve P-16-08 Sheri Park Addition, a replat of Lot 5 and 6 to Lot 5R, Block 3, Sheri Park addition, being .353 acre located at 137 and 141

Sheri Lane. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

RESOLUTION(S)

16. Considered Resolution 1663 adopting a new Municipal Court Seal.

Mayor Ward recognized City Secretary Rita Frick who reviewed the request for a new Municipal Court seal, changing from a five point star to the scales of justice.

Councilmember Cobern moved to pass Resolution 1663. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

17. Considered Resolution 1664 agreeing to meet match requirements for expenditures under the Tarrant County Home Investment Partnership Program.

Mayor Ward recognized Managing Director of Development Michelle Lazo who reviewed the Tarrant County Home Investment Partnership Program. Ms. Lazo stated the City of Hurst request is for \$200,000 in HOME funding, with the City's match up to \$60,000. She stated the program is governed through the Department of Housing and Urban Development (HUD) and the City has participated in the program since 2010.

Councilmember McLendon moved to approve Resolution 1664 authorizing the city manager to allocate up to \$60,000, as matching funds, for the HOME Program, administered by the Tarrant County Community Development and Housing Department, for projects in Hurst. Motion seconded by Councilmember Cobern. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

ACTION ITEM(S)

18. Considered authorizing the city manager to enter into an Engineering Services Contract Amendment 1 with Espey Consultants, Inc., dba RPS, for additional engineering services for the analysis of Richland Hills Wastewater Transportation Services to Southwest Hurst.

Mayor Ward recognized Executive Director of Public Works Greg Dickens who stated the Council approved the Engineering Services Agreement, for this project in February

2017, for analysis without any wastewater metering. He stated that after reviewing metering data for the last number of years, it appears there is a lot of inflow getting in this line. He stated, before negotiations with Richland Hills, staff wants to verify how much is actually Hurst wastewater versus Richland Hills. He stated the proposed amendment will include flow metering for sixty days, and review of the metered results, to determine the level of inflow and infiltration (I&I) into the Southwest Hurst sewer system and will help quantify the City's position.

Councilmember Kitchens moved to authorize the city manager to enter into an Engineering Services Contract Amendment 1, with Espey Consultants, Inc., dba RPS, for additional engineering services for the analysis of Richland Hills Wastewater Transportation Services to Southwest Hurst, in an amount not to exceed \$21,708.00, for a total contract amount, not to exceed \$30,453.00. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton
No: None

OTHER BUSINESS

19. Councilmembers reviewed the following advisory board meeting minutes:
 - Library Board
 - Senior Citizen's Advisory Board
 - Parks and Recreation Board
20. Review of upcoming calendar items – City Manager Caruthers reviewed the following calendar items:
 - Saturday, April 8, 2017 - Eggstravaganza 1:00 p.m.
 - Friday, April 14, 2017 – City offices closed
 - Friday, April 21, 2017 – Employee Giving Day
 - Saturday, April 22 and 29, 2017 – Good Neighbor Days
21. City Council Reports – Mayor Pro Tem Kitchens provided an overview of the recent S.B. 2 tax cap hearing he and staff attended, noting he was not able to speak, but did register the City's opposition. Councilmember Wilson noted the misinformation being provided regarding municipalities and property taxes.

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED – Mayor Ward recognized Andrea Taylor who expressed her concerns with the City's ordinance requiring the homeowner to maintain the sanitary sewer line, even if it goes under the street. She stated many other municipalities will repair what is in the public right-of-way. Mayor Ward stated staff will be in touch regarding her concern.

Mayor Ward recessed the meeting to Executive Session at 7:36 p.m. in compliance with the provisions of the Texas Open Meetings Law, authorized by Government Code, Section 551.071, Consultation with City Attorney to seek advice regarding pending or contemplated litigation or settlement offers (Morash Family Limited Partnership et al. (Sonterra Apartments) vs. City of Hurst) and to reconvened Open Session at 7:49 p.m.

22. Take any and all actions necessary ensuing from Executive Session.

Councilmember Cobern moved that the City of Hurst, Richard Morash matter note agreement be resolved by the acceptance of the sum of \$400,000 cash subject to the final settlement documents and papers being approved by the City Manager and the City Attorney. Motion seconded by Councilmember Welton. Motion prevailed by the following vote:

Ayes: Councilmembers McLendon, Booe, Kitchens, Cobern, Wilson and Welton

No: None

ADJOURNMENT

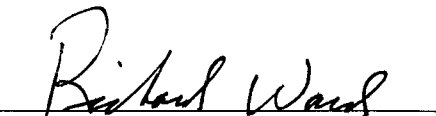
The meeting adjourned at 7:50 p.m.

APPROVED this the 11th day of April 2017.

ATTEST:


Rita L. Frick, City Secretary

APPROVED:


Richard Ward, Mayor